

# Maloney, Nadler to Fight Legislative Onslaught Against Women with Equal Rights Amendment

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New York, NY - Today, U.S. Reps. Carolyn Maloney and Jerrold Nadler declared that the House leadership's continuing war on women has gone too far and that it's past time to make clear that the Constitution guarantees equal rights for women. Accordingly, the lawmakers announced plans to reintroduce the Equal Rights Amendment in the coming days.

Maloney and Nadler were joined at a press conference today by Feminist Majority leader Ellie Smeal; the game-changing pioneer Lilly Ledbetter; former Congresswoman Elizabeth Holtzman; New York City Deputy Mayor for Legal Affairs Carol Robles-Roman; Sonia Ossorio of NOW NYC; Donna Zaccaro Ullman, daughter of Geraldine Ferraro; Karol Todrys, Beatrice Kahn, and Joan Shapiro Green of the National Council of Jewish Women; Pam Elam of the Women's City Club of NY; Jennifer Marre of the Women's Campaign Forum; Françoise Jacobsohn of Legal Momentum; Nicky Heller, Mary-Lou Urban, and Gladys Krasner of the New York City League of Women Voters; Beverly Neufeld of Equal Pay New York; Walthene Primus of District Council 37's Women's Committee; Ilene Lang of Catalyst; Nona Smith of Access for Women; Dina Bakst and Sherry Leiwant, of A Better Balance; and many other women leaders.

The text of the Equal Rights Amendment is as simple as it is necessary:

“SECTION 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

“SECTION 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

“SECTION 3. This amendment shall take effect two years after the date of ratification.”

Earlier this year, Justice Scalia opined that the 14th Amendment guarantee of equal protection does not apply to sex discrimination. His comments alone make a powerful, compelling argument that a Constitutional amendment is needed to protect women from discrimination. A Constitutional amendment would be an unassailable guarantee of equality and a symbol that attitudes toward women have changed.

“While it's true that women have made great progress in eroding sex discrimination in the past 38 years, we've seen that progress can all too easily be rolled back. Laws can be repealed and judicial attitudes can shift. For the past several years, we've had to fight long and hard just to hold on to rights we thought we'd already won,” said Rep. Maloney.

“The ERA would help us actually advance women's rights, instead of always playing defense,”

Maloney added. "The best way to protect the rights of men and women is to have those rights written into our Constitution. The principle of equality between men and women will not be truly safe until it is written into the framework of our government."

"In the year 2011, it is truly an embarrassment for our nation that we still do not have gender equality enshrined in our Constitution," said Rep. Nadler. "This profound omission undermines our standing as a nation committed to freedom and equality for all. The Equal Rights Amendment will stand as an explicit bulwark of freedom and equality that even Justice Scalia, and regressive forces in the Congress, will not be able to ignore. The time has long since passed when equality for women should be partisan or controversial."

"Women and men deserve and need full equal rights. Without constitutional equality, too many women, and thereby too many families, are cheated. Americans overwhelmingly support constitutional equality. It is time -in fact, it's long overdue- for us to move forward," said Eleanor Smeal.

Lilly Ledbetter's historic fight to simply receive equal pay for equal work put a spotlight on the substantial economic damage that sex-based discrimination has caused women in the labor force. The Supreme Court decision in her case made it clear that activist, conservative judges can overturn decades of precedent and laws protecting women from discrimination.

"The National Organization for Women applauds Representative Carolyn Maloney for re-introducing the Equal Rights Amendment in Congress," said NOW President Terry O'Neill. "For far too long this nation has deprived women of a constitutional guarantee of equality. We must work together to re-ignite a movement of advocates who refuse to accept second-class status for women."

"It is time for the United States to enshrine women's equality into our Constitution" said Sonia Ossorio, Executive Director, National Organization for Women of New York City. "It is a founding principal of our country, and we should be a global leader on women's rights and human rights."

"My mother, Geraldine Ferraro, would be thrilled that the Equal Rights Amendment is being reintroduced today in her honor by her dear friend Congresswoman Maloney. She would also say 'it's about time that this bill is passed!' Nearly 27 years ago, in her acceptance speech for the Vice Presidential nomination, she said: 'It isn't right that a woman should get paid 59 cents on the dollar for the same work as a man. If you play by the rules, you deserve a fair day's pay for a fair day's work.' While that ratio has improved over the last two decades, women remain underpaid relative to their male counterparts for the same work. My mother also said: 'to those who understand that our country cannot prosper unless we draw on the talents of all Americans, we say: we will pass the Equal Rights Amendment. The issue is not what America can do for women, but what women can do for America.' Hopefully, America is now ready to pass this amendment," said Donna Zaccaro Ullman.

Yana Walton , VP of Communications at the Women's Media Center says her group is "committed to ensuring that coverage of the ERA is balanced, accurate as Rep. Maloney continues the struggle for gender equity. Media have a responsibility to cover the issue fairly, and we'll work to ensure key outlets are supporting full equality for women as a key part of this"

"Since its founding by suffragists in 1915, the Women's City Club of New York has always supported and fought for equal rights for women. It is for that reason that we are proud to join Representative Maloney as she re-introduces the ERA. We encourage all New York City organizations to support the ERA and to work to end sex-based discrimination," said Ruth Acker, President of the Women's City Club of New York.

"NCJW believes that equal rights and equal opportunities for women must be guaranteed. As such, NCJW supports programs and initiatives that aim to level the playing field for women and girls. This includes the ratification of the Equal Rights Amendment," said Karol Todrys and Beatrice Kahn, Co-Presidents of the National Council of Jewish Women New York Section.

"The League of Women Voters of the City of New York believes that all men and all women should be created equal under the law and today we are one step closer to making that a reality," said League President Nicky Heller.

## Background

The ERA passed in Congress in 1972, and was sent to the states for ratification. Unfortunately, by the time the allotted deadline had passed in 1982, the ERA was just three states shy of the thirty-eight ratifications necessary for inclusion in the Constitution. Maloney has long contended that the states deserve another chance to pass this historic amendment.

The ERA is a constitutional amendment that would prohibit denying or abridging equal rights under law by the United States or any state on account of sex. A few of the ways this critical amendment would guarantee the equal rights of men and women is by:

- ï Clarifying the legal status of sex discrimination for the courts, by making sex a suspect category subject to strict judicial scrutiny, as race, religion, and national origin currently are;
- ï Guaranteeing equal footing for women in the legal systems of all 50 states; and
- ï Ensuring that government programs and federal resources benefit men and women equally.

Please [click here](#) for a fact sheet on the ERA prepared by Congresswoman Maloney's office.

Please [click here](#) for a Q&A on the need for the ERA.

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